

AMENDED IN ASSEMBLY APRIL 25, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1665**

**Introduced by Assembly Member Laird**

February 22, 2005

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~~An act to amend Section 10295 of the Public Contract Code, and to amend Section 8551 of, to add Part 6 (commencing with Section 9600) and Part 7 (commencing with Section 9660) to Division 5 of, the Water Code, relating to water. An act to amend Section 8521 of the Water Code, relating to flood control.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1665, as amended, Laird. Flooding.

(1) Existing law establishes the 7-member Reclamation Board in the Department of Water Resources (department). Existing law authorizes the Reclamation Board to engage in various flood control activities along the Sacramento River, San Joaquin River, their tributaries, and related areas. Existing law requires the Reclamation Board to establish and enforce standards for the maintenance and operation of, and to undertake other responsibilities with regard to, flood control works under its jurisdiction.

~~This bill would enact the Central Valley Flood Control Assessment District Act. The bill would change the name of the Reclamation Board to the Central Valley Flood Control Board (board) and would provide for the appointment of members to that board. The bill would create the Central Valley Flood Control Assessment District (district), which would include the area drained by the Sacramento River and the San Joaquin River. The bill would require the board, by regulation, to define the boundaries of the district.~~

~~The bill would require the board to develop a flood control subventions program to assist financially, and coordinate the efforts of, local districts in discharging specified flood control responsibilities. The bill would authorize the board to conduct an evaluation of the needs of the various flood control facilities, projects, and plans within the district for supplemental assistance. The bill would authorize the board to enter into agreements with local districts for specific plans of work for which supplemental financial assistance may be provided pursuant to prescribed procedures.~~

~~The bill would authorize the board to impose special benefit assessments, fees, or charges upon lands within the district, or any zone established within the district, and would require the revenue generated by the imposition of those assessments, fees, or charges to be deposited in the Central Valley Flood Control Fund, which the bill would establish in the State Treasury. The bill would require the board to expend the money in the fund, upon appropriation, to pay for flood control subventions to local districts, for the assumption of certain maintenance duties by the department, for the payment of judgments or obligations of liability or indemnity, to advance or loan to a local district funds that represent the local nonfederal share of financial cooperation in the construction of a flood control project, for administrative costs, and to carry out a mitigation banking program. The bill would require counties in which lands subject to an assessment, fee, or charge are located, to collect that assessment, fee, or charge on behalf of the district. The bill would authorize those counties to impose a fee to cover their collection costs. The bill would require the board to establish a program of mitigation banking for the benefit of local districts in the discharge of their flood control activities.~~

~~By imposing duties on the board, and on counties within which lands may be subject to an assessment, fee, or charge imposed by the board, the bill would impose a state-mandated local program.~~

~~The bill would prohibit an insurer from the issuing, delivering, or renewing a policy of residential property insurance in the state unless the named insured is offered coverage for loss or damage from flooding for which the insured is eligible under the National Flood Insurance Act of 1966, as specified.~~

~~(2) Existing law requires the Department of General Services to approve certain contracts entered into by a state agency, including contracts for the construction, alteration, improvement, repair, or~~

~~maintenance of property, or the performance of work or services by the state agency for, or in cooperation with, any person or public body.~~

~~This bill would exempt from this requirement a contract entered into by the board or the department that is not funded from state tax revenue.~~

~~(3)The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions. rename the Reclamation Board the Central Valley Flood Control Board and would require that board to take steps to ensure improved safety of levees in the Central Valley.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.~~

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 10295 of the Public Contract Code is~~  
2     ~~amended to read:~~

3     ~~SECTION 1. Section 8521 of the Water Code is amended to~~  
4     ~~read:~~

5     ~~8521. (a) "Board" means the Reclamation Central Valley~~  
6     ~~Flood Control Board. Any reference to the Reclamation Board in~~  
7     ~~this code means the Central Valley Flood Control Board.~~

8     ~~(b) The Central Valley Flood Control Board shall take steps to~~  
9     ~~ensure improved safety of levees in the Central Valley.~~

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12     **All matter omitted in this version of the bill**  
13     **appears in the bill as introduced in**  
14     **Assembly, 2/22/05 (JR11)**  
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